

Response to Rule 312 Communication	Application No.	Applicant(s)
	10/807,901	LIPOMA ET AL.
	Examiner	Art Unit
	ELIZABETH HOUSTON	3731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 08 January 2009 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The amendment changed the scope of the claims such that they were not allowable over the prior art. The Examiner contacted applicant's representative and applicant's representative agreed to not enter the amendment, but rather to allow the case to pass to issue. Thus applicant's representative agreed to the Examiner's amendment of 08 October 2008 (see attached interview summary)

/Todd E Manahan/
Supervisory Patent Examiner, Art Unit 3731

/E. H./
Examiner, Art Unit 3731